22nd December 1949]

THE HON. SRI N. SANJEEVA REDDI :—" Sir, I move—

' *that the Bill be passed into law* '."

THE DEPUTY PRESIDENT :—" The motion is—

' that the Madras Prohibition (Amendment) Bill, 1949 (L.A. Bill No. 42 of 1949), as passed by the Legislative Assembly, be passed into law '."

The motion was carried and the Bill was passed into law.

(5) THE MADRAS TUBERCULOSIS SANATORIA (REGULATION OF BUILDINGS) AMENDMENT BILL, 1949 (L.A. BILL NO. 43 OF 1949).

THE HON. DR. T. S. S. RAJAN :—" Sir, I move—

' *that the Madras Tuberculosis Sanatoria (Regulation of Buildings) Amendment Bill,* 1949 (*L.A. Bill No.* 43 *of* 1949), *as passed by the Legislative Assembly, be taken into consideration at once.*'

" Sir, this Bill is to correct the habit that is rather common in local bodies—I am sorry to say this—with regard to building regulations. A person who wants to construct a building applies for sanction, and it takes months to get the sanction. But it is taken for granted that he need not wait for the sanction of the building. He builds it. As a matter of fact, when the building is completed, it is recognized and no further action is taken to see whether the building regulations have been observed or not. Such a thing is happening now with regard to buildings in sanatorium areas. The sanatorium area is something very different from an ordinary municipal area. Sanatorium areas have got to be very carefully protected. They have to be hygienically shielded from infection getting into that area. To preserve these places of health, they have to be looked after by the Public Health authorities. After the sanction is obtained; any amount of buildings which could not come into that area, are constructed, e.g., small factories and workshops. This is not at all good to the sanatorium area. This will affect the health of the people in that sanatorium. All undesirable buildings round about the sanatorium should not be put up. It is in that view we state that specific permission must be given by a licence, and the nature of the work will have to be described and sanction obtained for the construction of that building. Failure to observe the conditions in the sanction will be an infringement of the provisions of this Bill. We have, for safety's sake, provided a penal clause for imposing a fine of Rs. 500 on those who violate the conditions of the sanction. The fine will have to be continued for such time as the infringement lasts. It is more on account of protection of health to prevent people from disobeying the law, especially in a sanatorium area, that this Bill is brought forward. That is all that is meant by this Amending Bill, and I hope the House will consider and pass it without much discussion."

THE DEPUTY PRESIDENT :—" The motion is—

'that the Madras Tuberculosis Sanatoria (Regulation of Buildings) Amendment Bill, 1949 (L.A. Bill No. 43 of 1949), as passed by the Legislative Assembly, be taken into consideration at once'."

The motion was carried.

Clauses 2, 3, 4, 1 and the Preamble were put and carried.

THE HON. DR. T. S. S. RAJAN :—" Sir, I move—

'*that the Bill be passed into law.*' "

THE DEPUTY PRESIDENT :—" The motion is—

'that the Madras Tuberculosis Sanatoria (Regulation of Buildings) Amendment Bill, 1949 (L.A. Bill No. 43 of 1949), as passed by the Legislative Assembly, be passed into law.' "

The motion was carried and the Bill was passed into law.

(6) THE MADRAS EDUCATIONAL INSTITUTIONS (REQUISITION OF PROPERTY) BILL, 1948 (L.A. BILL NO. 25 OF 1948).

* THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

" *that the Madras Educational Institutions (Requisition of Property) Bill, 1948 (L.A. Bill No. 25 of 1948), as passed by the Legislative Assembly, be taken into consideration at once.*'

" Sir, this is a Bill which had created some comment when it was introduced in the other House originally. The object of the Bill is that if any educational institution stops of its own accord in the middle of an academic year or the recognition of that school is cancelled by the department during the period of an academic year, the Government should have the power to requisition the buildings, furniture, apparatus and other equipment necessary to take over the school. They may even take over control to continue the school for the rest of the year.

12-15 p.m. " When the Bill was originally introduced, it simply said the Government could requisition any immovable property and pay rent for it; the period was indefinite. It was referred to the Select Committee, where there was considerable agitation. When it was discussed in the Lower House, it also showed that there was considerable fear among one section of the aided schools, particularly the Catholic section, that the Bill was intended to take possession of all aided institutions, it was a sort of trespassing on private rights and that it was discriminatory in its nature. In view of that, the Select Committee went in detail into this question and amended the Bill considerably so as to accommodate all the objections that were raised and the Select Committee came to the greatest common measure of agreement that was possible in a case like this. The result of the amendment made by the Select Committee is this. Originally it was an indefinite period for which the Government could take over possession. Now, it has been made clear that the object of the Bill is only to take control of the building and property for a temporary period, and in order to set at rest any doubts in the